

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 6-206 as follows:

6 (625 ILCS 5/6-206)

7 Sec. 6-206. Discretionary authority to suspend or revoke
8 license or permit; Right to a hearing.

9 (a) The Secretary of State is authorized to suspend or
10 revoke the driving privileges of any person without preliminary
11 hearing upon a showing of the person's records or other
12 sufficient evidence that the person:

13 1. Has committed an offense for which mandatory
14 revocation of a driver's license or permit is required upon
15 conviction;

16 2. Has been convicted of not less than 3 offenses
17 against traffic regulations governing the movement of
18 vehicles committed within any 12 month period. No
19 revocation or suspension shall be entered more than 6
20 months after the date of last conviction;

21 3. Has been repeatedly involved as a driver in motor
22 vehicle collisions or has been repeatedly convicted of
23 offenses against laws and ordinances regulating the

1 movement of traffic, to a degree that indicates lack of
2 ability to exercise ordinary and reasonable care in the
3 safe operation of a motor vehicle or disrespect for the
4 traffic laws and the safety of other persons upon the
5 highway;

6 4. Has by the unlawful operation of a motor vehicle
7 caused or contributed to an accident resulting in injury
8 requiring immediate professional treatment in a medical
9 facility or doctor's office to any person, except that any
10 suspension or revocation imposed by the Secretary of State
11 under the provisions of this subsection shall start no
12 later than 6 months after being convicted of violating a
13 law or ordinance regulating the movement of traffic, which
14 violation is related to the accident, or shall start not
15 more than one year after the date of the accident,
16 whichever date occurs later;

17 5. Has permitted an unlawful or fraudulent use of a
18 driver's license, identification card, or permit;

19 6. Has been lawfully convicted of an offense or
20 offenses in another state, including the authorization
21 contained in Section 6-203.1, which if committed within
22 this State would be grounds for suspension or revocation;

23 7. Has refused or failed to submit to an examination
24 provided for by Section 6-207 or has failed to pass the
25 examination;

26 8. Is ineligible for a driver's license or permit under

1 the provisions of Section 6-103;

2 9. Has made a false statement or knowingly concealed a
3 material fact or has used false information or
4 identification in any application for a license,
5 identification card, or permit;

6 10. Has possessed, displayed, or attempted to
7 fraudulently use any license, identification card, or
8 permit not issued to the person;

9 11. Has operated a motor vehicle upon a highway of this
10 State when the person's driving privilege or privilege to
11 obtain a driver's license or permit was revoked or
12 suspended unless the operation was authorized by a
13 monitoring device driving permit, judicial driving permit
14 issued prior to January 1, 2009, probationary license to
15 drive, or a restricted driving permit issued under this
16 Code;

17 12. Has submitted to any portion of the application
18 process for another person or has obtained the services of
19 another person to submit to any portion of the application
20 process for the purpose of obtaining a license,
21 identification card, or permit for some other person;

22 13. Has operated a motor vehicle upon a highway of this
23 State when the person's driver's license or permit was
24 invalid under the provisions of Sections 6-107.1 and 6-110;

25 14. Has committed a violation of Section 6-301,
26 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B

1 of the Illinois Identification Card Act;

2 15. Has been convicted of violating Section 21-2 of the
3 Criminal Code of 1961 or the Criminal Code of 2012 relating
4 to criminal trespass to vehicles in which case, the
5 suspension shall be for one year;

6 16. Has been convicted of violating Section 11-204 of
7 this Code relating to fleeing from a peace officer;

8 17. Has refused to submit to a test, or tests, as
9 required under Section 11-501.1 of this Code and the person
10 has not sought a hearing as provided for in Section
11 11-501.1;

12 18. Has, since issuance of a driver's license or
13 permit, been adjudged to be afflicted with or suffering
14 from any mental disability or disease;

15 19. Has committed a violation of paragraph (a) or (b)
16 of Section 6-101 relating to driving without a driver's
17 license;

18 20. Has been convicted of violating Section 6-104
19 relating to classification of driver's license;

20 21. Has been convicted of violating Section 11-402 of
21 this Code relating to leaving the scene of an accident
22 resulting in damage to a vehicle in excess of \$1,000, in
23 which case the suspension shall be for one year;

24 22. Has used a motor vehicle in violating paragraph
25 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
26 the Criminal Code of 1961 or the Criminal Code of 2012

1 relating to unlawful use of weapons, in which case the
2 suspension shall be for one year;

3 23. Has, as a driver, been convicted of committing a
4 violation of paragraph (a) of Section 11-502 of this Code
5 for a second or subsequent time within one year of a
6 similar violation;

7 24. Has been convicted by a court-martial or punished
8 by non-judicial punishment by military authorities of the
9 United States at a military installation in Illinois of or
10 for a traffic related offense that is the same as or
11 similar to an offense specified under Section 6-205 or
12 6-206 of this Code;

13 25. Has permitted any form of identification to be used
14 by another in the application process in order to obtain or
15 attempt to obtain a license, identification card, or
16 permit;

17 26. Has altered or attempted to alter a license or has
18 possessed an altered license, identification card, or
19 permit;

20 27. Has violated Section 6-16 of the Liquor Control Act
21 of 1934;

22 28. Has been convicted for a first time of the illegal
23 possession, while operating or in actual physical control,
24 as a driver, of a motor vehicle, of any controlled
25 substance prohibited under the Illinois Controlled
26 Substances Act, any cannabis prohibited under the Cannabis

1 Control Act, or any methamphetamine prohibited under the
2 Methamphetamine Control and Community Protection Act, in
3 which case the person's driving privileges shall be
4 suspended for one year. Any defendant found guilty of this
5 offense while operating a motor vehicle, shall have an
6 entry made in the court record by the presiding judge that
7 this offense did occur while the defendant was operating a
8 motor vehicle and order the clerk of the court to report
9 the violation to the Secretary of State;

10 29. Has been convicted of the following offenses that
11 were committed while the person was operating or in actual
12 physical control, as a driver, of a motor vehicle: criminal
13 sexual assault, predatory criminal sexual assault of a
14 child, aggravated criminal sexual assault, criminal sexual
15 abuse, aggravated criminal sexual abuse, juvenile pimping,
16 soliciting for a juvenile prostitute, promoting juvenile
17 prostitution as described in subdivision (a)(1), (a)(2),
18 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961
19 or the Criminal Code of 2012, and the manufacture, sale or
20 delivery of controlled substances or instruments used for
21 illegal drug use or abuse in which case the driver's
22 driving privileges shall be suspended for one year;

23 30. Has been convicted a second or subsequent time for
24 any combination of the offenses named in paragraph 29 of
25 this subsection, in which case the person's driving
26 privileges shall be suspended for 5 years;

1 31. Has refused to submit to a test as required by
2 Section 11-501.6 of this Code or Section 5-16c of the Boat
3 Registration and Safety Act or has submitted to a test
4 resulting in an alcohol concentration of 0.08 or more or
5 any amount of a drug, substance, or compound resulting from
6 the unlawful use or consumption of cannabis as listed in
7 the Cannabis Control Act, a controlled substance as listed
8 in the Illinois Controlled Substances Act, an intoxicating
9 compound as listed in the Use of Intoxicating Compounds
10 Act, or methamphetamine as listed in the Methamphetamine
11 Control and Community Protection Act, in which case the
12 penalty shall be as prescribed in Section 6-208.1;

13 32. Has been convicted of Section 24-1.2 of the
14 Criminal Code of 1961 or the Criminal Code of 2012 relating
15 to the aggravated discharge of a firearm if the offender
16 was located in a motor vehicle at the time the firearm was
17 discharged, in which case the suspension shall be for 3
18 years;

19 33. Has as a driver, who was less than 21 years of age
20 on the date of the offense, been convicted a first time of
21 a violation of paragraph (a) of Section 11-502 of this Code
22 or a similar provision of a local ordinance;

23 34. Has committed a violation of Section 11-1301.5 of
24 this Code or a similar provision of a local ordinance;

25 35. Has committed a violation of Section 11-1301.6 of
26 this Code or a similar provision of a local ordinance;

1 36. Is under the age of 21 years at the time of arrest
2 and has been convicted of not less than 2 offenses against
3 traffic regulations governing the movement of vehicles
4 committed within any 24 month period. No revocation or
5 suspension shall be entered more than 6 months after the
6 date of last conviction;

7 37. Has committed a violation of subsection (c) of
8 Section 11-907 of this Code that resulted in damage to the
9 property of another or the death or injury of another;

10 38. Has been convicted of a violation of Section 6-20
11 of the Liquor Control Act of 1934 or a similar provision of
12 a local ordinance;

13 39. Has committed a second or subsequent violation of
14 Section 11-1201 of this Code;

15 40. Has committed a violation of subsection (a-1) of
16 Section 11-908 of this Code;

17 41. Has committed a second or subsequent violation of
18 Section 11-605.1 of this Code, a similar provision of a
19 local ordinance, or a similar violation in any other state
20 within 2 years of the date of the previous violation, in
21 which case the suspension shall be for 90 days;

22 42. Has committed a violation of subsection (a-1) of
23 Section 11-1301.3 of this Code or a similar provision of a
24 local ordinance;

25 43. Has received a disposition of court supervision for
26 a violation of subsection (a), (d), or (e) of Section 6-20

1 of the Liquor Control Act of 1934 or a similar provision of
2 a local ordinance, in which case the suspension shall be
3 for a period of 3 months;

4 44. Is under the age of 21 years at the time of arrest
5 and has been convicted of an offense against traffic
6 regulations governing the movement of vehicles after
7 having previously had his or her driving privileges
8 suspended or revoked pursuant to subparagraph 36 of this
9 Section;

10 45. Has, in connection with or during the course of a
11 formal hearing conducted under Section 2-118 of this Code:
12 (i) committed perjury; (ii) submitted fraudulent or
13 falsified documents; (iii) submitted documents that have
14 been materially altered; or (iv) submitted, as his or her
15 own, documents that were in fact prepared or composed for
16 another person; or

17 46. Has committed a violation of subsection (j) of
18 Section 3-413 of this Code.

19 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
20 and 27 of this subsection, license means any driver's license,
21 any traffic ticket issued when the person's driver's license is
22 deposited in lieu of bail, a suspension notice issued by the
23 Secretary of State, a duplicate or corrected driver's license,
24 a probationary driver's license or a temporary driver's
25 license.

26 (b) If any conviction forming the basis of a suspension or

1 revocation authorized under this Section is appealed, the
2 Secretary of State may rescind or withhold the entry of the
3 order of suspension or revocation, as the case may be, provided
4 that a certified copy of a stay order of a court is filed with
5 the Secretary of State. If the conviction is affirmed on
6 appeal, the date of the conviction shall relate back to the
7 time the original judgment of conviction was entered and the 6
8 month limitation prescribed shall not apply.

9 (c) 1. Upon suspending or revoking the driver's license or
10 permit of any person as authorized in this Section, the
11 Secretary of State shall immediately notify the person in
12 writing of the revocation or suspension. The notice to be
13 deposited in the United States mail, postage prepaid, to the
14 last known address of the person.

15 2. If the Secretary of State suspends the driver's
16 license of a person under subsection 2 of paragraph (a) of
17 this Section, a person's privilege to operate a vehicle as
18 an occupation shall not be suspended, provided an affidavit
19 is properly completed, the appropriate fee received, and a
20 permit issued prior to the effective date of the
21 suspension, unless 5 offenses were committed, at least 2 of
22 which occurred while operating a commercial vehicle in
23 connection with the driver's regular occupation. All other
24 driving privileges shall be suspended by the Secretary of
25 State. Any driver prior to operating a vehicle for
26 occupational purposes only must submit the affidavit on

1 forms to be provided by the Secretary of State setting
2 forth the facts of the person's occupation. The affidavit
3 shall also state the number of offenses committed while
4 operating a vehicle in connection with the driver's regular
5 occupation. The affidavit shall be accompanied by the
6 driver's license. Upon receipt of a properly completed
7 affidavit, the Secretary of State shall issue the driver a
8 permit to operate a vehicle in connection with the driver's
9 regular occupation only. Unless the permit is issued by the
10 Secretary of State prior to the date of suspension, the
11 privilege to drive any motor vehicle shall be suspended as
12 set forth in the notice that was mailed under this Section.
13 If an affidavit is received subsequent to the effective
14 date of this suspension, a permit may be issued for the
15 remainder of the suspension period.

16 The provisions of this subparagraph shall not apply to
17 any driver required to possess a CDL for the purpose of
18 operating a commercial motor vehicle.

19 Any person who falsely states any fact in the affidavit
20 required herein shall be guilty of perjury under Section
21 6-302 and upon conviction thereof shall have all driving
22 privileges revoked without further rights.

23 3. At the conclusion of a hearing under Section 2-118
24 of this Code, the Secretary of State shall either rescind
25 or continue an order of revocation or shall substitute an
26 order of suspension; or, good cause appearing therefor,

1 rescind, continue, change, or extend the order of
2 suspension. If the Secretary of State does not rescind the
3 order, the Secretary may upon application, to relieve undue
4 hardship (as defined by the rules of the Secretary of
5 State), issue a restricted driving permit granting the
6 privilege of driving a motor vehicle between the
7 petitioner's residence and petitioner's place of
8 employment or within the scope of the petitioner's
9 employment related duties, or to allow the petitioner to
10 transport himself or herself, or a family member of the
11 petitioner's household to a medical facility, to receive
12 necessary medical care, to allow the petitioner to
13 transport himself or herself to and from alcohol or drug
14 remedial or rehabilitative activity recommended by a
15 licensed service provider, or to allow the petitioner to
16 transport himself or herself or a family member of the
17 petitioner's household to classes, as a student, at an
18 accredited educational institution, or to allow the
19 petitioner to transport children, elderly persons, or
20 disabled persons who do not hold driving privileges and are
21 living in the petitioner's household to and from daycare.
22 The petitioner must demonstrate that no alternative means
23 of transportation is reasonably available and that the
24 petitioner will not endanger the public safety or welfare.
25 Those multiple offenders identified in subdivision (b)4 of
26 Section 6-208 of this Code, however, shall not be eligible

1 for the issuance of a restricted driving permit.

2 (A) If a person's license or permit is revoked or
3 suspended due to 2 or more convictions of violating
4 Section 11-501 of this Code or a similar provision of a
5 local ordinance or a similar out-of-state offense, or
6 Section 9-3 of the Criminal Code of 1961 or the
7 Criminal Code of 2012, where the use of alcohol or
8 other drugs is recited as an element of the offense, or
9 a similar out-of-state offense, or a combination of
10 these offenses, arising out of separate occurrences,
11 that person, if issued a restricted driving permit, may
12 not operate a vehicle unless it has been equipped with
13 an ignition interlock device as defined in Section
14 1-129.1.

15 (B) If a person's license or permit is revoked or
16 suspended 2 or more times within a 10 year period due
17 to any combination of:

18 (i) a single conviction of violating Section
19 11-501 of this Code or a similar provision of a
20 local ordinance or a similar out-of-state offense
21 or Section 9-3 of the Criminal Code of 1961 or the
22 Criminal Code of 2012, where the use of alcohol or
23 other drugs is recited as an element of the
24 offense, or a similar out-of-state offense; or

25 (ii) a statutory summary suspension or
26 revocation under Section 11-501.1; or

1 (iii) a suspension under Section 6-203.1;
2 arising out of separate occurrences; that person, if
3 issued a restricted driving permit, may not operate a
4 vehicle unless it has been equipped with an ignition
5 interlock device as defined in Section 1-129.1.

6 (C) The person issued a permit conditioned upon the
7 use of an ignition interlock device must pay to the
8 Secretary of State DUI Administration Fund an amount
9 not to exceed \$30 per month. The Secretary shall
10 establish by rule the amount and the procedures, terms,
11 and conditions relating to these fees.

12 (D) If the restricted driving permit is issued for
13 employment purposes, then the prohibition against
14 operating a motor vehicle that is not equipped with an
15 ignition interlock device does not apply to the
16 operation of an occupational vehicle owned or leased by
17 that person's employer when used solely for employment
18 purposes.

19 (E) In each case the Secretary may issue a
20 restricted driving permit for a period deemed
21 appropriate, except that all permits shall expire
22 within one year from the date of issuance. The
23 Secretary may not, however, issue a restricted driving
24 permit to any person whose current revocation is the
25 result of a second or subsequent conviction for a
26 violation of Section 11-501 of this Code or a similar

1 provision of a local ordinance or any similar
2 out-of-state offense, or Section 9-3 of the Criminal
3 Code of 1961 or the Criminal Code of 2012, where the
4 use of alcohol or other drugs is recited as an element
5 of the offense, or any similar out-of-state offense, or
6 any combination of those offenses, until the
7 expiration of at least one year from the date of the
8 revocation. A restricted driving permit issued under
9 this Section shall be subject to cancellation,
10 revocation, and suspension by the Secretary of State in
11 like manner and for like cause as a driver's license
12 issued under this Code may be cancelled, revoked, or
13 suspended; except that a conviction upon one or more
14 offenses against laws or ordinances regulating the
15 movement of traffic shall be deemed sufficient cause
16 for the revocation, suspension, or cancellation of a
17 restricted driving permit. The Secretary of State may,
18 as a condition to the issuance of a restricted driving
19 permit, require the applicant to participate in a
20 designated driver remedial or rehabilitative program.
21 The Secretary of State is authorized to cancel a
22 restricted driving permit if the permit holder does not
23 successfully complete the program.

24 (c-3) In the case of a suspension under paragraph 43 of
25 subsection (a), reports received by the Secretary of State
26 under this Section shall, except during the actual time the

1 suspension is in effect, be privileged information and for use
2 only by the courts, police officers, prosecuting authorities,
3 the driver licensing administrator of any other state, the
4 Secretary of State, or the parent or legal guardian of a driver
5 under the age of 18. However, beginning January 1, 2008, if the
6 person is a CDL holder, the suspension shall also be made
7 available to the driver licensing administrator of any other
8 state, the U.S. Department of Transportation, and the affected
9 driver or motor carrier or prospective motor carrier upon
10 request.

11 (c-4) In the case of a suspension under paragraph 43 of
12 subsection (a), the Secretary of State shall notify the person
13 by mail that his or her driving privileges and driver's license
14 will be suspended one month after the date of the mailing of
15 the notice.

16 (c-5) The Secretary of State may, as a condition of the
17 reissuance of a driver's license or permit to an applicant
18 whose driver's license or permit has been suspended before he
19 or she reached the age of 21 years pursuant to any of the
20 provisions of this Section, require the applicant to
21 participate in a driver remedial education course and be
22 retested under Section 6-109 of this Code.

23 (d) This Section is subject to the provisions of the
24 Drivers License Compact.

25 (e) The Secretary of State shall not issue a restricted
26 driving permit to a person under the age of 16 years whose

1 driving privileges have been suspended or revoked under any
2 provisions of this Code.

3 (f) In accordance with 49 C.F.R. 384, the Secretary of
4 State may not issue a restricted driving permit for the
5 operation of a commercial motor vehicle to a person holding a
6 CDL whose driving privileges have been suspended, revoked,
7 cancelled, or disqualified under any provisions of this Code.

8 (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;
9 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.
10 7-1-11; 96-1551, eff. 7-1-11; 97-229, eff. 7-28-11; 97-333,
11 eff. 8-12-11; 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844,
12 eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

13 Section 10. The Boat Registration and Safety Act is amended
14 by adding Section 5-16c as follows:

15 (625 ILCS 45/5-16c new)

16 Sec. 5-16c. Operator involvement in personal injury or
17 fatal boating accident; chemical tests.

18 (a) Any person who operates or is in actual physical
19 control of a motorboat within this State and who has been
20 involved in a personal injury or fatal boating accident shall
21 be deemed to have given consent to a breath test using a
22 portable device as approved by the Department of State Police
23 or to a chemical test or tests of blood, breath, or urine for
24 the purpose of determining the content of alcohol, other drug

1 or drugs, or intoxicating compound or compounds of the person's
2 blood if arrested as evidenced by the issuance of a uniform
3 citation for a violation of the Boat Registration and Safety
4 Act or a similar provision of a local ordinance, with the
5 exception of equipment violations contained in Article IV of
6 this Act or similar provisions of local ordinances. The test or
7 tests shall be administered at the direction of the arresting
8 officer. The law enforcement agency employing the officer shall
9 designate which of the aforesaid tests shall be administered. A
10 urine test may be administered even after a blood or breath
11 test or both has been administered. Compliance with this
12 Section does not relieve the person from the requirements of
13 any other Section of this Act.

14 (b) Any person who is dead, unconscious, or who is
15 otherwise in a condition rendering that person incapable of
16 refusal shall be deemed not to have withdrawn the consent
17 provided by subsection (a) of this Section. In addition, if an
18 operator of a motorboat is receiving medical treatment as a
19 result of a boating accident, any physician licensed to
20 practice medicine, licensed physician assistant, licensed
21 advanced practice nurse, registered nurse, or a phlebotomist
22 acting under the direction of a licensed physician shall
23 withdraw blood for testing purposes to ascertain the presence
24 of alcohol, other drug or drugs, or intoxicating compound or
25 compounds, upon the specific request of a law enforcement
26 officer. However, this testing shall not be performed until, in

1 the opinion of the medical personnel on scene, the withdrawal
2 can be made without interfering with or endangering the
3 well-being of the patient.

4 (c) A person requested to submit to a test under subsection
5 (a) of this Section shall be warned by the law enforcement
6 officer requesting the test that a refusal to submit to the
7 test, or submission to the test resulting in an alcohol
8 concentration of 0.08 or more, or any amount of a drug,
9 substance, or intoxicating compound resulting from the
10 unlawful use or consumption of cannabis listed in the Cannabis
11 Control Act, a controlled substance listed in the Illinois
12 Controlled Substances Act, an intoxicating compound listed in
13 the Use of Intoxicating Compounds Act, or methamphetamine as
14 listed in the Methamphetamine Control and Community Protection
15 Act as detected in the person's blood or urine, may result in
16 the suspension of the person's privilege to operate a motor
17 vehicle and may result in the disqualification of the person's
18 privilege to operate a commercial motor vehicle, as provided in
19 Section 6-514 of the Illinois Vehicle Code, if the person is a
20 CDL holder. The length of the suspension shall be the same as
21 outlined in Section 6-208.1 of the Illinois Vehicle Code
22 regarding statutory summary suspensions.

23 (d) If the person refuses testing or submits to a test
24 which discloses an alcohol concentration of 0.08 or more, or
25 any amount of a drug, substance, or intoxicating compound in
26 the person's blood or urine resulting from the unlawful use or

1 consumption of cannabis listed in the Cannabis Control Act, a
2 controlled substance listed in the Illinois Controlled
3 Substances Act, an intoxicating compound listed in the Use of
4 Intoxicating Compounds Act, or methamphetamine as listed in the
5 Methamphetamine Control and Community Protection Act, the law
6 enforcement officer shall immediately submit a sworn report to
7 the Secretary of State on a form prescribed by the Secretary of
8 State, certifying that the test or tests were requested under
9 subsection (a) of this Section and the person refused to submit
10 to a test or tests or submitted to testing which disclosed an
11 alcohol concentration of 0.08 or more, or any amount of a drug,
12 substance, or intoxicating compound in the person's blood or
13 urine, resulting from the unlawful use or consumption of
14 cannabis listed in the Cannabis Control Act, a controlled
15 substance listed in the Illinois Controlled Substances Act, an
16 intoxicating compound listed in the Use of Intoxicating
17 Compounds Act, or methamphetamine as listed in the
18 Methamphetamine Control and Community Protection Act.

19 Upon receipt of the sworn report of a law enforcement
20 officer, the Secretary of State shall enter the suspension and
21 disqualification to the person's driving record and the
22 suspension and disqualification shall be effective on the 46th
23 day following the date notice of the suspension was given to
24 the person.

25 The law enforcement officer submitting the sworn report
26 shall serve immediate notice of this suspension on the person

1 and this suspension and disqualification shall be effective on
2 the 46th day following the date notice was given.

3 In cases where the blood alcohol concentration of 0.08 or
4 more, or any amount of a drug, substance, or intoxicating
5 compound resulting from the unlawful use or consumption of
6 cannabis listed in the Cannabis Control Act, a controlled
7 substance listed in the Illinois Controlled Substances Act, an
8 intoxicating compound listed in the Use of Intoxicating
9 Compounds Act, or methamphetamine as listed in the
10 Methamphetamine Control and Community Protection Act, is
11 established by a subsequent analysis of blood or urine
12 collected at the time of arrest, the arresting officer shall
13 give notice as provided in this Section or by deposit in the
14 United States mail of this notice in an envelope with postage
15 prepaid and addressed to the person at his or her address as
16 shown on the uniform citation and the suspension and
17 disqualification shall be effective on the 46th day following
18 the date notice was given.

19 Upon receipt of the sworn report of a law enforcement
20 officer, the Secretary of State shall also give notice of the
21 suspension and disqualification to the person by mailing a
22 notice of the effective date of the suspension and
23 disqualification to the person. However, should the sworn
24 report be defective by not containing sufficient information or
25 be completed in error, the notice of the suspension and
26 disqualification shall not be mailed to the person or entered

1 to the driving record, but rather the sworn report shall be
2 returned to the issuing law enforcement agency.

3 (e) A person may contest this suspension of his or her
4 driving privileges and disqualification of his or her CDL
5 privileges by requesting an administrative hearing with the
6 Secretary of State in accordance with Section 2-118 of the
7 Illinois Vehicle Code. At the conclusion of a hearing held
8 under Section 2-118 of the Illinois Vehicle Code, the Secretary
9 of State may rescind, continue, or modify the orders of
10 suspension and disqualification. If the Secretary of State does
11 not rescind the orders of suspension and disqualification, a
12 restricted driving permit may be granted by the Secretary of
13 State upon application being made and good cause shown. A
14 restricted driving permit may be granted to relieve undue
15 hardship to allow driving for employment, educational, and
16 medical purposes as outlined in Section 6-206 of the Illinois
17 Vehicle Code. The provisions of Section 6-206 of the Illinois
18 Vehicle Code shall apply. In accordance with 49 C.F.R. 384, the
19 Secretary of State may not issue a restricted driving permit
20 for the operation of a commercial motor vehicle to a person
21 holding a CDL whose driving privileges have been suspended,
22 revoked, cancelled, or disqualified.

23 (f) For the purposes of this Section, a personal injury
24 shall include any type A injury as indicated on the accident
25 report completed by a law enforcement officer that requires
26 immediate professional attention in a doctor's office or a

1 medical facility. A type A injury shall include severely
2 bleeding wounds, distorted extremities, and injuries that
3 require the injured party to be carried from the scene.